

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

ANDREA REYNOLDS, §
§
Plaintiff, §
§
v. § Civil Action No. 7:12-CV-0065-O-BF
§
CAROLYN W. COLVIN, §
Acting Commissioner, Social Security §
Administration, §
§
Defendant. §

ORDER

This is a social security case. Plaintiff Andrea Reynolds (“Plaintiff” or “Reynolds”) filed this action seeking judicial review of an adverse final decision of the Commissioner of Social Security (“Commissioner”) under 42 U.S.C. § 405(g). Pursuant to 28 U.S.C. § 636(b), and an order of the Court in implementation thereof, the case was referred to United States Magistrate Paul D. Stickney for review and submission of proposed findings of fact and recommendation for disposition. On March 10, 2014, the Magistrate Judge issued his Findings, Conclusions, and Recommendation (the “Report”), wherein he recommended that the Court reverse the decision of the Administrative Law Judge (“ALJ”) denying Plaintiff disability insurance benefits under Title II of the Social Security Act (the “Act”) and supplemental security income under Title XVI of the Act, and remand the matter for further proceedings. *See* ECF No. 19, Report at 8. Specifically, the Magistrate Judge recommended remand to the ALJ to further address step five of the five-step sequential analysis,¹ finding that the

¹Under step five, the Commissioner must determine whether the identified “impairment prevents the claimant from doing any other substantial gainful activity.” *See Audler v. Astrue*, 501 F.3d 446, 447-48 (5th Cir. 2007).

ALJ based her decision to deny benefits on a vocational expert's responses to defective hypothetical questions. *Id.* at 4-7. No objections to the Report have been filed.

After an independent review of the pleadings, file, record, applicable law, and the Magistrate Judge's detailed, well-reasoned and comprehensive Report, the Court **accepts** the Magistrate Judge's findings and recommendation, and hereby **reverses** and **remands** this case to the Commissioner for further proceedings consistent with the Magistrate Judge's Report, and this Order accepting the Report.

SO ORDERED this 25th day of **March, 2014**.



Reed O'Connor
UNITED STATES DISTRICT JUDGE